

SENATE AMENDMENTS

2nd Printing

By: Zerwas, Geren, Isaac, et al.

H.B. No. 897

A BILL TO BE ENTITLED

AN ACT

relating to instruction in cardiopulmonary resuscitation and the use of automated external defibrillators in secondary education curriculum.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act may be cited as the Edmund Kuempel Act.

SECTION 2. Section 28.0023, Education Code, is amended by amending Subsections (b) and (c) and adding Subsections (d), (e), (f), and (g) to read as follows:

(b) The State Board of Education by rule shall require ~~[include elements relating to]~~ instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator for students in grades 7 through 12 ~~[as part of the essential knowledge and skills of the health curriculum under Section 28.002(a)(2)(B)]~~.

(c) A school district or open-enrollment charter ~~[This subsection applies only to a private school that receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator. A private]~~ school shall provide instruction to students in grades 7 through 12 in cardiopulmonary resuscitation and the use of an automated external defibrillator in a manner consistent with the requirements of this section and State Board of Education rules adopted under this section. The instruction may be

1 provided as a part of any course. A student shall receive the
2 instruction at least once before graduation.

3 (d) A school administrator may waive the curriculum
4 requirement under this section for an eligible student who has a
5 disability.

6 (e) Cardiopulmonary resuscitation and automated external
7 defibrillator instruction must include cardiopulmonary
8 resuscitation and automated external defibrillator training that
9 has been developed:

10 (1) by the American Heart Association or the American
11 Red Cross; or

12 (2) using nationally recognized, evidence-based
13 guidelines for emergency cardiovascular care and incorporating
14 psychomotor skills to support the instruction.

15 (f) For purposes of Subsection (e), "psychomotor skills"
16 means hands-on practice to support cognitive learning. The term
17 does not include cognitive-only instruction and training.

18 (g) A school district or open-enrollment charter school may
19 use emergency medical technicians, paramedics, police officers,
20 firefighters, representatives of the American Heart Association or
21 the American Red Cross, teachers, other school employees, or other
22 similarly qualified individuals to provide instruction and
23 training under this section. Instruction provided under this
24 section is not required to result in certification in
25 cardiopulmonary resuscitation or the use of an automated external
26 defibrillator. If instruction is intended to result in
27 certification in cardiopulmonary resuscitation or the use of an

1 automated external defibrillator, the course instructor must be
2 authorized to provide the instruction by the American Heart
3 Association, the American Red Cross, or a similar nationally
4 recognized association.

5 SECTION 3. This Act applies beginning with the 2014-2015
6 school year.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2013.

ADOPTED

MAY 20 2013

Philip C. Smith
Secretary

By: *J. J. Aguilar*

Substitute the following for H.B. No. 897:

By: *Isaac Lucio, Jr.*

H.B. No. 897

C.S. H.B. No. 897

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1 AN ACT

2 relating to instruction in cardiopulmonary resuscitation in
3 secondary education curriculum.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. This Act may be cited as the Edmund Kuempel Act.

6 SECTION 2. Section 28.0023, Education Code, is amended by
7 amending Subsections (b) and (c) and adding Subsections (d), (e),
8 (f), and (g) to read as follows:

9 (b) The State Board of Education by rule shall require
10 ~~[include elements relating to]~~ instruction in cardiopulmonary
11 resuscitation for students in grades 7 through 12 ~~[and the use of an~~
12 ~~automated external defibrillator as part of the essential knowledge~~
13 ~~and skills of the health curriculum under Section 28.002(a)(2)(B)]~~.

14 (c) A school district or open-enrollment charter ~~[This~~
15 ~~subsection applies only to a private school that receives an~~
16 ~~automated external defibrillator from the agency or receives~~
17 ~~funding from the agency to purchase or lease an automated external~~
18 ~~defibrillator. A private]~~ school shall provide instruction to
19 students in grades 7 through 12 in cardiopulmonary resuscitation
20 ~~[and the use of an automated external defibrillator]~~ in a manner
21 consistent with the requirements of this section and State Board of
22 Education rules adopted under this section. The instruction may be
23 provided as a part of any course. A student shall receive the
24 instruction at least once before graduation.

1 (d) A school administrator may waive the curriculum
2 requirement under this section for an eligible student who has a
3 disability.

4 (e) Cardiopulmonary resuscitation instruction must include
5 training that has been developed:

6 (1) by the American Heart Association or the American
7 Red Cross; or

8 (2) using nationally recognized, evidence-based
9 guidelines for emergency cardiovascular care and incorporating
10 psychomotor skills to support the instruction.

11 (f) For purposes of Subsection (e), "psychomotor skills"
12 means hands-on practice to support cognitive learning. The term
13 does not include cognitive-only instruction and training.

14 (g) A school district or open-enrollment charter school may
15 use emergency medical technicians, paramedics, police officers,
16 firefighters, representatives of the American Heart Association or
17 the American Red Cross, teachers, other school employees, or other
18 similarly qualified individuals to provide instruction and
19 training under this section. Instruction provided under this
20 section is not required to result in certification in
21 cardiopulmonary resuscitation. If instruction is intended to
22 result in certification in cardiopulmonary resuscitation, the
23 course instructor must be authorized to provide the instruction by
24 the American Heart Association, the American Red Cross, or a
25 similar nationally recognized association.

26 SECTION 3. Section 28.0023(a), Education Code, is repealed.

27 SECTION 4. This Act applies beginning with the 2014-2015

1 school year.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2013.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 21, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB897 by Zerwas (Relating to instruction in cardiopulmonary resuscitation in secondary education curriculum.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Texas Education Code to require school districts and open-enrollment charter schools to provide cardiopulmonary resuscitation (CPR) instruction to students in grades 7 through 12 at least once before graduation.

The bill would remove the use of an automated external defibrillator as part of the essential knowledge and skills of the health curriculum.

Local Government Impact

School districts and open-enrollment charter schools could incur some costs to pay for instructors, services, materials, and equipment needed to effectively complete the required training. These costs would vary depending on district or school size and what the district currently offers with regard to CPR training. Additionally, school districts and open-enrollment charter schools could incur some savings related to the removal of the use of an automated external defibrillator as part of the essential knowledge and skills of the health curriculum.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, SD, JBi, JSc, AW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 15, 2013

TO: Honorable Dan Patrick, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB897 by Zerwas (Relating to instruction in cardiopulmonary resuscitation in secondary education curriculum.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Texas Education Code to require school districts and open-enrollment charter schools to provide cardiopulmonary resuscitation (CPR) instruction to students in grades 7 through 12 at least once before graduation.

The bill would remove the use of an automated external defibrillator as part of the essential knowledge and skills of the health curriculum.

Local Government Impact

School districts and open-enrollment charter schools could incur some costs to pay for instructors, services, materials, and equipment needed to effectively complete the required training. These costs would vary depending on district or school size and what the district currently offers with regard to CPR training. Additionally, school districts and open-enrollment charter schools could incur some savings related to the removal of the use of an automated external defibrillator as part of the essential knowledge and skills of the health curriculum.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 8, 2013

TO: Honorable Dan Patrick, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB897 by Zerwas (Relating to instruction in cardiopulmonary resuscitation and the use of automated external defibrillators in secondary education curriculum.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Texas Education Code to require school districts and open-enrollment charter schools to provide cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) instruction to students in grades 7 through 12 at least once before graduation.

Local Government Impact

School districts and open-enrollment charter schools could incur some costs to pay for instructors, services, materials, and equipment needed to effectively complete the required training. These costs would vary depending on district or school size and what the district currently offers with regard to CPR and AED training.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 11, 2013

TO: Honorable Jimmie Don Ayccock, Chair, House Committee on Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB897 by Zerwas (Relating to instruction in cardiopulmonary resuscitation and the use of automated external defibrillators in secondary education curriculum.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Texas Education Code to require school districts and open-enrollment charter schools to provide cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) instruction to students in grades 7 through 12 at least once before graduation.

Local Government Impact

School districts and open-enrollment charter schools could incur some costs to pay for instructors, services, materials, and equipment needed to effectively complete the required training. These costs would vary depending on district or school size and what the district currently offers with regard to CPR and AED training.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 18, 2013

TO: Honorable Jimmie Don Aycock, Chair, House Committee On Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB897 by Zerwas (Relating to instruction in cardiopulmonary resuscitation and the use of automated external defibrillators in secondary education curriculum.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Texas Education Code to require school districts, open-enrollment charter schools, and private schools to provide cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) instruction to students in grades 7 through 12 at least once before graduation.

Local Government Impact

School districts, open-enrollment charter schools, and private schools could incur some costs to pay for instructors, services, materials, and equipment needed to effectively complete the required training. These costs would vary depending on district or school size and what the district currently offers with regard to CPR and AED training.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AW